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3 Attorneys for USACM Liquidating Trust

4 In re:

5 USA COMMERCIAL MORTGAGE  
 COMPANY,

6 USA CAPITAL REALTY ADVISORS,  
 LLC,

7 USA CAPITAL DIVERSIFIED TRUST  
 DEED FUND, LLC,

8 USA CAPITAL FIRST TRUST DEED  
 FUND, LLC,<sup>1</sup>

9 USA SECURITIES, LLC,<sup>2</sup> Debtors.

10 Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

11 Case No. BK-S-06-10725-LBR  
 Case No. BK-S-06-10726-LBR  
 Case No. BK-S-06-10727-LBR  
 Case No. BK-S-06-10728-LBR<sup>1</sup>  
 Case No. BK-S-06-10729-LBR<sup>2</sup>

12 CHAPTER 11

13 Jointly Administered Under Case No.  
 BK-S-06-10725 LBR

14 **NOTICE OF HEARING REGARDING  
 FOURTH OMNIBUS OBJECTION OF  
 USACM TRUST TO PROOFS OF  
 CLAIM BASED UPON  
 INVESTMENT IN THE GATEWAY  
 STONE ASSOCIATES, LLC LOAN;  
 AND CERTIFICATE OF SERVICE**

15 Date of Hearing: June 9, 2008  
 Time of Hearing: 9:30 a.m.

16  
**THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM  
 THAT YOU FILED. THE USACM TRUST SEEKS TO DISALLOW YOUR  
 CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN THE  
 GATEWAY STONE ASSOCIATES, LLC LOAN BECAUSE THE USACM TRUST**

17  
 1 This bankruptcy case was closed on October 12, 2007.

18  
 2 This bankruptcy case was closed on December 26, 2007.



1      **CONTENDS THAT YOU HAVE BEEN PAID IN FULL FOR YOUR  
2      INVESTMENT IN THAT LOAN. THIS OBJECTION WILL NOT IMPACT  
3      YOUR CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN A  
4      DIFFERENT LOAN.**

5      **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY  
6      COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS  
7      REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM  
8      SHOULD BE DIRECTED TO BRANT FYLLING OF SIERRA CONSULTING  
9      GROUP, LLC ((602) 424-7009) OR THE UNDERSIGNED COUNSEL.**

10     **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust has filed its  
11    Fourth Omnibus Objection to Proofs of Claim Based Upon Investment in the Gateway  
12    Stone Associates, LLC Loan (the “Objection”). Your Proof of Claim number and other  
13    information regarding your claim is provided in **Exhibit A**, attached. The USACM  
14    Liquidating Trust has requested that this Court enter an order, pursuant to Bankruptcy  
15    Code § 502 and Bankruptcy Rule 3007, disallowing your Proof of Claim to the extent it is  
16    based upon an investment in the Gateway Stone Associates, LLC Loan. The Objection  
17    will not impact your Claim to the extent it is based upon an investment in a different loan.

18     **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held  
19    before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in the Foley  
20    Federal Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on  
21    **June 9, 2008, at the hour of 9:30 a.m.**

22     **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON JUNE 9,  
23    2008, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND  
24    SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE  
25    HEARD ON THAT DATE.**

**NOTICE IS FURTHER GIVEN** that any response to the Objection must be filed by June 2, 2008 pursuant to Local Rule 3007(b), which states:

If an objection to a claim is opposed, a written response must be filed and served on the objecting party at least 5 business days before the scheduled hearing. A response is deemed sufficient if it states that written documentation in support of the proof of claim has already been provided to the objecting party and that the documentation will be provided at any evidentiary hearing or trial on the matter.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
  - The Court may *rule against you* and sustain the objection without formally calling the matter at the hearing.

Dated: May 8, 2008.

LEWIS AND ROCA LLP

By /s/ Rob Charles (#6593)  
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*Attorneys for the USACM Liquidating Trust*

Copy of the foregoing mailed by first class postage prepaid U.S. Mail on May 8, 2008 to:

Parties listed on Exhibit A attached.

s/Renee L. Creswell  
Renee L. Creswell  
Lewis and Roca LLP